US War Crimes in Libya and Iraq (from the book "Russia's Komfort)

The greatest example of impunity has been carried out by NATO forces, both in Libya in 2011 and in Yugoslavia in 1999. NATO has not conducted their own investigations into war crimes committed by their forces, nor has the ICC formally charged the military bloc with any violations despite evidence presented by human rights groups that civilians were killed as a result of NATO strikes. In Libya, in March of 2011, member nations of NATO such as the US, UK, and France conducted an air and ground assault on Mu'ammar al-Gaddafi's forces. The operation was subject to UN Security Council regulation that all sides of the conflict are to do everything possible to prevent civilian casualties. NATO subsequently implemented a no-fly zone over Libya and carried out missions against Libyan military targets over a period of seven months. However, throughout the conflict, civilian areas in Libya were hit by strikes conducted by NATO forces. To this day, NATO has not responded to allegations (other than providing the typical excuse that they never targeted civilians) nor conducted any formal investigation. In 2012, Amnesty International reported that 55 civilians were killed as a result of NATO air strikes in the cities of Tripoli, Zlitan, Majer Sirte, Brega, Surman, and Bani Walid. In addition, one resident told them that a NATO airstrike on September 15th 2011 killed 40 civilians. In many of the other cases of civilian casualties, there was no evidence of military forces or equipment deployed to the site of the airstrike, which implied that the area posed no threat and therefore should not have been attacked. Many of the families interviewed reported seeing no Libyan military maneuvers in the area that would justify their home being struck by rockets. In one attack in Majer, 34 civilians were killed and NATO provided nothing to justify it. In other cases, the victims could not understand why their house was targeted since no one in the house was part of the military or taking part in hostilities. According to ICC policy, since NATO did not take up an investigation over possible war crimes they committed in Libya, then the ICC could step in and launch an investigation. NATO, back in 1999, conducted a number airstrikes in Yugoslavia as part of a military campaign in the Kosovo War. The justification was in response to Yugoslavia's cleansing of ethnic Albanians. The aerial assault carried out by NATO forces lasted close to three months. While Yugoslavia killed over 2000 combatants, as well as nearly 9000 civilians, NATO strikes killed over 500 civilians. Subsequently, Human Rights Watch found no

evidence of war crimes and recommended that NATO establish a separate commission to investigate violations of humanitarian law. Human Rights Watch also pointed out the possibility of Yugoslavia using civilians as human shields.

The Human Rights Watch organization is considered by many entities throughout the world as notoriously bias in how they approach investigating human rights issues. In 2014, an open letter was published excoriating HRW for what many international organizations and scholars all over the world felt was their unfair bias towards the United States and United States foreign policy. The letter was signed by over 100 academics, scholars, as well as some UN officials such as Hans von Sponeck and Richard Falk. Hans von Speck was the former Assistant Secretary General of the UN, while Richard Falk was the Special Rapporteur on Human Rights in the Palestinian Territories. The letter outlined how members of HRW were former members of US foreign policy agencies. For example, Tom Malinowski was once special adviser to Bill Clinton and later became Assistant Secretary of State for Democracy, Human Rights, and Labor to HRW. Myles Frechette was a former US ambassador to Columbia and eventually became a member of HRW's Americas advisory committee. This was also the case for Michael Shifter, who served as the director for the US government-funded National Endowment for Democracy's Latin America division. However, it must be said that HRW was well aware of how US foreign policy during their war on terror would set a precedent in which other nations will feel justified to act with the same impunity concerning their foreign policy goals. Here is what HRW stated in a 2011 report entitled "Getting Away with Torture The Bush Administration and Mistreatment of Detainees." It concerns US violations of human rights and the residual effects of such:

The Price of Impunity The US government's disregard for human rights in fighting terrorism in the years following the September 11, 2001 attacks diminished the US' moral standing, set a negative example for other governments, and undermined US government efforts to reduce anti-American militancy around the world.

In particular, the CIA's use of torture, enforced disappearance, and secret prisons was illegal, immoral, and counterproductive. These practices tainted the US government's reputation and standing in combating terrorism, negatively affected foreign intelligence cooperation, and sparked anger and resentment

among Muslim communities, whose assistance is crucial to uncovering and preventing future global terrorist threats.

President Barack Obama took important steps toward setting a new course when he abolished secret CIA prisons and banned the use of torture upon taking office in January 2009. But other measures have yet to be taken, such as ending the practice of indefinite detention without trial, closing the military detention facility at Guantanamo Bay and ending rendition of detainees to countries that practice torture. Most crucially, the US commitment to human rights in combating terrorism will remain suspect unless and until the current administration confronts the past. Only by fully and forthrightly dealing with those responsible for systematic violations of human rights after September 11 will the US government be seen to have surmounted them.

Without real accountability for these crimes, those who commit abuses in the name of counterterrorism will point to the US mistreatment of detainees to deflect criticism of their own conduct. Indeed, when a government as dominant and influential as that of the United States openly defies laws prohibiting torture, a bedrock principle of human rights, it virtually invites others to do the same. The US government's much-needed credibility as a proponent of human rights was damaged by the torture revelations and continues to be damaged by the complete impunity for the policymakers implicated in criminal offenses.

As in countries that have previously come to grips with torture and other serious crimes by national leaders, there are countervailing political pressures within the United States. Commentators assert that any effort to address past abuses would be politically divisive, and might hinder the Obama administration's ability to achieve pressing policy objectives.

This position ignores the high cost of inaction. Any failure to carry out an investigation into torture will be understood globally as purposeful toleration of illegal activity, and as a way to leave the door open to future abuses.[4] The US cannot convincingly claim to have rejected these egregious human rights violations until they are treated as crimes rather than as "policy options."

In contrast, the benefits of conducting a credible and impartial

criminal investigation are numerous. For example, the US government would send the clearest possible signal that it is committed to repudiating the use of torture. Accountability would boost US moral authority on human rights in counterterrorism in a more concrete and persuasive way than any initiative to date; set a compelling example for governments that the US has criticized for committing human rights abuses and for the populations that suffer from such abuses; and might reveal legal and institutional failings that led to the use of torture, pointing to ways to improve the government's effectiveness in fighting terrorism. It would also sharply reduce the likelihood of foreign investigations and prosecutions of US officials—which have already begun in Spain—based on the principle of universal jurisdiction, since those prosecutions are generally predicated on the responsible government's failure to act.

Human Rights is not a new dynamic in world affairs. The concept has been around since the beginning of time. The enforcement, however, has never really held firm for any significant length of time. In many cases, justice for victims of war crimes could only be carried out on perpetrators after there was regime change in the country of the officials that were responsible for human rights violations. For example, if Germany was not defeated in World War II, there would have been no Nuremberg Trials to prosecute Nazi officials responsible for genocide and human rights violations. This is why many world powers are afraid of the ICC because essentially issuing an arrest warant for sitting government officials is ultimately a call for regime change, something which seperatist groups in many countries are eager to carry out. Historically, nations that were often more advanced and militarily adept were the ones that often carried out the most egregious violations of human rights. Germany and Japan slaughtered millions of civilians during World War II, while the US has carried out a vast number of war crimes in Iraq, the middle east, and Africa. In all three cases, the nations involved were considered the most civilized and advanced of their era. From 2003 to 2022, the United States, during their illegal occupation of Iraq, has carried out numerous violations of human rights such as conducting strikes on civilian population using high-powered explosives. There were rapes, torture, as well as mistreatment of prisoners, children, and refugees. Much of these allegations have been verified via direct footage, interviews with witnesses, Wikileaks reports, and compiled in a

number of research works like the one published by Noor-ul-Ain Khawaja called Human Rights Violations Under US Occupation in Iraq: An Analysis.

Scores of civilians were killed by US forces during their occupation of Iraq. Some were killed by direct gunfire from US ground troops, others were killed by airstrikes conducted by the US Air Forces. Three of the most violent incidents concerning the mass murder of Iraqi civilians occurred in Fallujah, Haditha, and Nisour Square. Throughout the Iraq War, it has been documented that the US fired depleted uranium weapons into civilian areas, destroying infrastructure. It also been documented that the US has used cluster munitions, as well as white phosphorous. In addition. the US admitted, after numerous denials, that they have used napalm bombs, which is an incendiary substance banned by the United Nations for use in warfare since 1980. Wikileaks confirmed that the US had roughly 2836 chemical weapons as part of its arsenal in Iraq during the war. Russia during its invasion of Ukraine as of June 11th 2022 has not used any chemical weapons. CS gas which is banned for use in warfare was also used by the US during the Iraq war, which violated Article I of Convention on Chemical Weapons.

Depleted Uranium bombs were dropped via air strikes in Iraq on civilian areas by both US and UK forces, causing the air to fill up with intense radiation that can cause serious physiological problems like cancer, birth defects, gene damage and neurological problems. In the first year of the war between 2003 and 2004, according to a study published by the Lancet Journal, US forces killed roughly 100,000 civilians in Iraq, half being women and children. Most of the civilians killed died from airstrikes carried out by US-led forces. The study sampled 33 neighborhoods in Iraq that were most representative of the whole population, and concluded that the leading cause of the death had gone from mostly other typical causes like heart attack and stroke to overwhelmingly death as a result of violence. The study found that an Iraqi's the risk of death from military artillery and violence was astronomically higher than it was before the US invaded, 58 times higher in fact. The study was heavily peer-reviewed and edited and began to cast doubt on the US military's conduct during the war. It was led by Les Roberts from the John Hopkins Bloomberg School of Public Health who had around five doctors conduct interviews in 988 households, gathering data with a survey and putting themselves in danger during the process. The interviews compiled data given to them by members of the Iraqi

households who reported the number of births and deaths in their family, both 14 months before and 14 months after the US invasion of their country. While some did not present death certificates, circumstances surrounding the information given in those cases, as well as the cultural backdrop was such that the interviewers ultimately considered that it was unlikely they were fabricating the information. The study showed that infant mortality rose, going from 29 deaths per 1000 births 14 months before the war, to 57 deaths per 1000 live births 14 months after the war started. This was attributed to women being unable to access hospitals during war, and thus having to deliver the baby without the sufficient medical supervision. The biggest increase was that of violent death, which the study attributed mostly to be caused by airstrikes, as opposed to hostility from ground forces. They did record three incidents of civilians being killed at checkpoints by gunfire from ground troops, which was minute compared to the devastation caused by airstrikes. The cases recorded which did involve direct fire from US troops involved the victim being mistaken for a combatant. The study documented that US troops did apologize directly to the families in those cases. The sample of 58 incidents of violent death recorded by the study were all caused by aerial strikes, the worst being in Fallujah, where 75% of the violent deaths took place, based on the sample. Much like the theater bombing in March of 2022 that Russia provided no information on in terms of number of casualties, the US forces in Iraq in the first year did not assess body count as well.

One of the first cases of the mass killing of Iraqi civilians carried out by US forces occurred in Fallujah. where civilians were killed en masse by US forces with airstrikes, gunfire, and chemical weapons between 2003 and 2005. According to some estimates, altogether during the US attack on Fallujah between 2003 and 2004, 6000 people were killed, mostly civilians which included women and children. There was photographic evidence which showed residents whose skin had been completely dissolved. A number of residents reported that US forces crushed the wounded by rolling over them with tanks, and they also reported that those looking to provide aid were shot. The Iraq Red crescent was not allowed into the city to provide aid and doctors were restricted from performing emergency surgeries on their patients. These were gross violations of the Geneva convention and many of these crimes perpetrated by US forces were documented in "Fallujah, The Hidden Massacre" which is a documentary film by Sigfrido Ranucci and Maurizio Torrealta.

US War Crimes in Libya and Iraq (from the book "Russia's Komfort)

The dynamic which led to the massacre in Fallujah is likely similar to how things escalated in Kyiv upon the Russian forces entering the city. Back in April of 2003, after the US Military during their unjustified occupation of Fallujah, no different than Russia's occupation of Kyiv, imposed a curfew for the residents living there, the residents protested. Just prior, the US forces had occupied a school and the residents of Fallujah wanted the troops to vacate the school so that it could reopen. Much like Russia's invasion of Ukraine in areas where Russian forces occupied certain parts without engaging in hostilities on the residents, the US forces in the case of their occupation of Fallujah did the same. In both cases, the occupying military force was eventually confronted by the residents living there. On April 28, 2003, roughly 200 Iraqi residents assembled outside the school where the US forces were stationed at the time. After the protesters became more and more agitated, US forces threw smoke into the crowd in order to repel them. When things escalated, according to the testimony of US forces, someone from the crowd sparked the violence when he opened fire on US soldiers, which caused US forces to return fire and ultimately kill 17 Iraqi civilians in the process. 70 others suffered serious wounds. Human Rights Watch later confirmed that no Iraqis had fired upon US soldiers during the confrontation. Two days later when protesters gathered outside of a US base at the former Ba'ath party headquarters, US forces shot 3 protesters and subsequently called in more reinforcements to Fallujah. In that case, the US also maintained that the protesters fired first. Meanwhile, seeing that things were escalating, US service members in Fallujah began going around confiscating motor bikes from Iraqi residents in the area, for the sake of mitigating the threat of terror against US military personnel. In June of 2003, residents-turned-insurgents in Fallujah began firing on US military in response to their unjustified invasion of the country, no different than Ukrainians in Kyiv against the Russian occupiers. In June, a US Service member was killed when the vehicle he was in was hit by an RPG round. Six other US military personnel sustained injuries. This led to heightened hostilities that would have dangerous implications for civilians in the area. In late June, a mosque was bombed, killing the imam and eight others. Residents accused the US of carrying out the bombing, but the US insisted it was the insurgents who did it by accident as they were making bombs nearby. Later in February 2004, insurgents had then started attacking US military convoys carrying high level US commanders, and firing

upon them with RPGs from the rooftops in the surrounding areas. RPGs were also found in residential buildings in Mariupol in April of 2022 after the Russian siege of the city. Another similarity is how the US portrayed resistance to their invasion with how the Russian troops portrayed resistance to their invasion of Ukraine—the US relegated those resisting their invasion to being insurgents linked to Al-Qaeda, while Russia considered those resisting their invasion as belonging to Neo-Nazi groups. Following the attacks on US servicemen in Iraq, Fallujah was quickly consumed by a strong guerrilla presence which endangered civilians there. This guerrilla aspect in Kyiv and other parts of Ukraine during the Russian invasion in 2022 was strongly encouraged by Ukrainian officials. This leads one to ask if this was wise, and whether or not the Ukrainians are more justified to attack occupying forces than the Iraqis were in Fallujah back in 2004 when the US launched an unjustified invasion of their country. We can see the difference in western media's coverage of the two events. The resistors to US occupation in Iraq were seen as terrorists, while the resistors in Ukraine to Russian occupiers are viewed as freedom fighters.

Due to the rising guerrilla warfare in Fallujah against US troops, US forces had to briefly withdraw in March of 2004, leaving only a few personnel to reassert foothold over the city every now and then. However, after five members of a combat engineer team—sent out to ensure a safe passage route for the US 82nd Airborne and Blackwater forces—were killed by a roadside bomb on their way to Fallujah, the nature of the operations became set to change considerably. This was followed by the killing of four armed US contractors traveling in their SUV to make a delivery to food services. They were hit by insurgent gunfire before being decimated with a grenade that insurgent threw into their SUV. This was followed by a mob who set the bodies of the contractors on fire before dragging them through the streets and hanging them over a bridge at the Euphrates. Thus, all the civilian friendly strategies applied by the US after their initial advance into Fallujah had to be abandoned, and US forces would then be ordered to conduct a more full scale assault to clear out the guerrillas. It is likely that the Russian forces followed a similar dynamic in many parts of Ukraine. Also interesting to note is that the US would call this offensive aimed at clearing out the guerrillas, a "pacification" of the city. Somewhat similar to how Russian President Putin called his military operation in Ukraine a "denazification,"

US War Crimes in Libya and Iraq (from the book "Russia's Komfort)

On April 1st 2004, The US began a major assault on Fallujah, launching air strikes that destroyed four residential homes. On the 5th of April, US forces imposed a curfews to all residents and encouraged them to help them identify the perpetrators of the Blackwater killings. (Russian troops in Bucha asked residents there to help them find the nazis) The bombing raids subsequently carried out by US forces killed numerous insurgents as well as civilians. It had been estimated that just in the first few days of April of 2004, 300 Iraqi civilians had been killed. By the beginning of May, it was estimated that close to 600 civilians were killed during that first battle at Fallujah.

The second battle at Fallujah(Operation Phantom Fury) started in November of 2004 and lasted until December 24, 2004. During this operation, US forces went door to door looking for insurgents, very similar to how the Russians went door to door in Bucha looking for Nazis. In the 2005 documentary, "Fallujah, The Hidden Massacre." a former US soldiers named Jeff Englehart, who was deployed to Fallujah at the time, revealed that he was told that every one walking outside was an enemy combatant. (This is also likely what happened in Bucha—Russian troops were told that anyone walking outside was an enemy combatant) Another US soldier, Ross Caputo, who fought during the battle recounted tactics that involved firing indiscriminately into residential homes before seeing who was inside, for fear that there could be insurgents there. This is exactly similar to the tactic used by the Russian forces in Bucha, as witnessed by one of the residents there. In both cases of Iraq and Bucha, civilians were killed in the process. Caputi, in an interview with CNN, said that "These tactics were meant to keep us safe. But I learned later that tens of thousands of civilians were still hiding in their houses during the operation, so these tactics would have put them in a lot of danger. ...The hardship that Phantom Fury imposed on Fallujans and the destruction it caused made me feel really ashamed of what we were doing." According to the Red Cross, 800 civilians were killed during the battle, while Iraqi non-profit groups estimated that close to 6000 Iraqi civilians were killed.

Another massacre that occurred during the US invasion of Iraq was the Haditha massacre which killed 24 Iraqi civilians. It occurred on November 19, 2005 when a group of US Marines carried out summary executions of men, women, children, and the elderly, all shot at point blank range. The motive was said to be in response to the killing of Lance Corporal Miguel

Terrazas who was killed during an IED attack on a US Marine convoy. After the incident, a false report was filed stating that the explosion killed 15 civilians, while eight insurgents were killed as the Marines subsequently opened fire. After an investigation carried out by the Pentagon which showed substantial evidence that the Marines carried out summary executions of Iraqi civilians, those involved in the massacre were later indicted on charges of murder. However, in 2008, only one Marine was penalized for the crimes. The others had the charges dropped. The one penalized who had to stand trial was only given a demotion in rank as part of a plea deal in 2012 in which the murder charged would be dropped. No one was jailed and no justice was granted to the victims.

Prior to the massacre, US forces were present around Haditha for the purpose of keeping watch over a Dam that provided hydroelectric power. There had been numerous flare ups of insurgent violence since the start of the war, as insurgents against occupation attacked US troops regularly in that area. When a convoy of US Marines was attacked via roadside bomb placed along their route in 2005, one of the US servicemen driving one of the vehicles in the convoy was killed. The other two present in the vehicle with him suffered serious injuries, but survived. One of them was allowed to return to active duty.

Immediately following the attack, other members of the convoy began a furious assault on civilians in the area. One Iraqi man and four Iraqi teenagers who were in a white taxi cab near the attack were forced out and shot dead by Staff Sgt Frank Wuterich. According to two Iraqi soldiers and a Marine, they had been forced to stand in a line outside the taxi cab with their hands up before being shot and killed by Wuterich, who later said that he felt threatened by them. The Marines reported to have heard gunfire coming from all sides, and suspected some of it to be coming from behind the white taxi as it drove up near the area. Another Marine, Sgt. Sanick Dela Cruz, present at the time told investigators that after Staff Sgt. Wuterich opened fire on the victims, Dela Cruz then urinated on their dead bodies out of anger for what happened to Terrazas(the driver that was killed by the IED). Dela Cruz was also forthright about the clear intent to kill civilians, telling investigators: "As I crossed the median I saw one of the Iraqi civilians, who was standing in the center of the line, drop to the ground.....Immediately afterwards another Iraqi standing by him raised his hands to his head. I then heard other small arms fire and looked to my left and saw Sgt. Wuterich kneeling on

one knee and shooting his M16 in the direction of the Iraqi civilians."

When another Marine, Lieutenant William Kallop, the platoon commander, arrived on the scene, he reported that they encountered gun fire coming from one of the residential homes nearby shortly after the IED attack. In response, after Cpl Hector A. Salinas said he could see someone was firing the shots on the south part of the road, Kallop ordered Staff Sgt Wuterich to move into area and "clear south". Using tactics of first throwing grenades and firing indiscriminately into the houses before entering, Wuterich and three other Marines, Salinas, Tatum and Lance Cpl. Humberto M. Mendoza, ended up killing 19 more civilians in the process, seven of which were children. At the first home that the US soldiers engaged, they tried to enter via the kitchen, Tatum reported to investigators that he thought he heard what sounded like an AK-47 being set to open fire, so he threw grenades into the home. A 37 year old man named Walid Hasan, who was inside the home, was killed. And so was 66 year old Khamisa Ali, who was killed in the hallway area. Four more in the home at the time were killed by grenades and gunfire. The nine year old girl living there whose name was Iman Walid Abdul-Hamid said that the Marines were shooting into all the rooms of the house. After they killed the civilians in the first house, the Marines rushed into the second house believing that the suspected gunman fled there. Mendoza told investigators that the same protocol used on the first house was applied to the second home. He also admitted to killing 43 year old Yunis Rasif through the kitchen door. When the Marines entered the house, they went to the bedroom and before looking inside they threw grenades in the room and opened fire into it, killing all the women and children inside. Despite carrying out the slaughter, Tatum insisted that he felt threatened at the time and that he was simply reacting based on that fear, telling investigators that he did not fire with the intent to kill civilians. One can presume that the Russians who carried out the exact same mode of operation in Bucha will likely say the same thing, which will put international war crimes investigators on the spot when they have to explain the difference between the massacre at Haditha and the massacre at Bucha. It was later revealed that Marines had gone to a 3rd and 4th house, after seeing men who were staring at them suspiciously. According to some Iraqi witnesses, the Marines separated the men from the women at the homes before forcing the men into the fourth house and executing them.

According to Wuterich, it was standard protocol to fire into

buildings deemed hostile and that he was only following orders based on that. Marines were not required to risk their lives by identifying individual targets as threats when a structure is deemed hostile. Kallop testified that "Once you declare a building hostile, you can destroy it with all means at your disposal." It is likely that the Russian military has this same policy.

There was a lot of criticism against the US military because they only responded to the allegations of Marines killing civilians in Haditha after Time magazine began reporting about the incident. Initially, US Marine officials felt the incident was no different than other situations in which civilian casualties occurred. Maj. Gen. Richard A. Huck believed that the allegations were lies perpetrated by the insurgents in order smear the reputation of the US military. Compare that to Russia's initial reaction to allegations of war crimes committed by Russian soldiers Bucha, when Russian officials insisted that the incident was staged. In the case of the Haditha massacre, other Marine officers insisted that their men were not murderers. Many in the Kremlin likely have this same sentiment about their own soldiers.

In terms of allegations that Marine officers were attempting to cover up the incident, Dela Cruz told investigators that Staff Sgt Wuterich asked him to support reports that the men from the taxi were trying to escape, but those investors on the scene saw no evidence that a large scale cover-up was attempted.

In December of 2006, the US Military charged Frank Wuterich, Sanick P. Dela Cruz, James Donahue and Stephen Tatum with unpremeditated murder. Frank Wuterick had been charged with 12 counts of unpremeditated murder. Even after it was concluded that there were no weapons in the taxi nor insurgents in the first two houses that came under attack, all charges were dropped against the Marines in 2008. Wuterich who was the only one to face a trial, was allowed a plea deal in 2012 to plead guilty to dereliction of duty and receive a fine and a penalty of demotion in rank, while charges of manslaughter would be dropped. The lack of disciplinary action by US military in connection to the Haditha massacre enabled other acts of violence against civilians to be carried out with impunity. Similar atrocities occurred later in Ishaqi near Balad, Qaim, Taal Al Jal, Mukaradeeb, Hamdaniyah, Samarra and Salahuddin. Amnesty International reported in 2011 that the number of civilian killed individually by US forces between 2004 and 2009 totaled around 66,000.

US War Crimes in Libya and Iraq (from the book "Russia's Komfort)

Another massacre carried out by US troops in Iraq was at Nisour Square in Baghdad when guards from the BlackWater group, a US security contractor, shot and killed 17 unarmed civilians, including a nine year old boy. All who stood trial in connection with the incident were either acquitted or eventually pardoned by the President of the United States. The incident took place on September 16, 2007 when BlackWater Security Consulting employees responded to reports of an explosion near where US and Iraqi officials were conferencing. A tactical unit in a convoy of 4 trucks consisting of 19 Blackwater employees arrived on the scene and got into formation on the south side of Nisour Square to provide safe evacuation passage for US officials as well as other BlackWater employees protecting them. Shortly thereafter, when a car was seen driving towards them, the unit began firing at civilians, killing 17 of them in the process. Later, during trial in 2014, the BlackWater employees said they believed that the approaching car was a hostile threat and thus began shooting in the name of self-defense. The car, a Kia sedan, was later destroyed with a grenade. Iraqi government officials and US Military officials had different accounts of the incident. The Iraqi government reported that the approaching car was inhabited by a woman and her adult son. They were driving on the wrong side of the road and ignored the police whistle to allow the convoy of BlackWater employees to pass thru. Subsequently, after firing a warning shot, the BlackWater team, as well as its helicopters, opened fire on the car killing the woman and her adult son. When the team threw stun grenades to clear the area, Iraqi police and soldiers mistook it from frag grenades and then began firing at the BlackWater team, which led to BlackWater employees opening fire.

The US Military account of the incident reported that the approaching car was ignoring all warnings being given which led BlackWater employees to shoot at the car. When Iraqi police attempted go and help the passengers inside the vehicle, the BlackWater employees were under the impression that the Iraqi policemen were trying to push the car towards the BlackWater unit, which led to Blackwater employees believing that it was a car bomb, to which caused them to open fire at the car, killing both the passengers and the Iraqi policemen. Immediately after, other Iraqi police began to fire upon the BlackWater unit.

According to a New York Times report in 2007, one of the BlackWater employees during the chaos continued to fire in the direction of civilians, even after ceasefire was ordered. And

later, three BlackWater guards said that they believed that the shootings were not justified. A joint American-Iraqi investigation ensued and found that BlackWater was responsible for the killing of 17 unarmed Iraqi civilians after opening fire without provocation. An October 2007 US military report concluded that none of the Iraqi police or soldiers fired back at the BlackWater guards. The UN considered the BlackWater contractors as "mercenaries" and in violation of the international law. Criminal charges of 14 counts of manslaughter were filed against five BlackWater employees, but despite conclusive evidence, a U.S. judge dropped all charges against the BlackWater security firm in 2010. In 2011, the charges were reinstated by a federal appeals court panel, and in 2013, the charges for one of the accused were dropped. The rest went to trial in 2014 and were found guilty. One was given a life sentence, while the other three were to serve 30 years in prison. In 2020, all four were granted an official presidential pardon by the President of the United States and released from prison. The UN Human Rights Office warned that such would only enable other entities to carry out similar crimes with impunity.

BlackWater not only got away with the Nisour Square massacre, but others violent incidents that transpired prior to it. A year before in 2006, a BlackWater sniper opened fire from the roof of the building belonging to the Iraqi Justice Ministry and killed three civilians. The incident was deemed justified and an act of self-defense. In December of 2006, a Black Water employee killed the bodyguard of Iraq's Vice President, but suffered no legal reprisals.

The International Committee of the Red Cross (ICRC) reported in 2004 that the occupying forces were responsible for enforced disappearances after arresting and detaining certain individuals in Iraq, not telling the family where they were taken. Just within the city of Fallujah, 280 persons were declared missing, all confirmed by name and picture ID.

Rapes and murders were also perpetrated by US soldiers in Iraq. In 2006, a group of US servicemen who were all intoxicated and wearing regular clothes and masks, invaded a home where an Iraqi family was residing. One of the soldiers assumed the role of standing guard at the checkpoint to keep a look out for anyone else that could be in the area. After the US soldiers, broke into the home, they all raped a 14 year old girl named Abeer Kassem Hamza al-Janabi, while killing her mother, father, and sister. After they finished raping the girl, they shot her dead as well, cracked her skull and then

incinerated her body. However, in this case, the US did investigate and prosecute all involved. The families of the victims, however, expected a more harsh penalty such as the death penalty. Before the investigation, the incident was covered up by the perpetrators who tried to blame the act on Sunni insurgents.

After Russia's invasion of Ukraine on February 24, 2022, the US had called upon the International Criminal Court to prosecute Russia for war crimes committed in Ukraine. The declaration evoked charges from the public that the United States were hypocrites for encouraging an ICC investigation into Russia's actions in Ukraine, while blocking the ICC from investigating their crimes in Afghanistan, where US airstrikes killed scores of civilians. The US does not recognize the jurisdiction of the International Criminal Court, which was first formed in 1998 through an international consensus called the Rome Statue. Back then, the US helped facilitate the agreement and initial formation of the ICC, but refused to officially join for fear that the prosecutor for the ICC would wield an enormous level of influence and power, possibly conducting investigations based on political affiliation. Discourse about the establishment of an international treaty dealing with war crimes was prevalent in political circles after the Nuremberg Trials, and Congress during the decade of the 1990s approved a number of resolutions that urged for an international investigative body. When the US became concerned about the level of power the ICC could wield, they ended up voting against the Rome Statue. Russia also does not recognize the jurisdiction of the ICC, but nonetheless the ICC is conducting investigations into Russia's actions in Ukraine and whether or not they constitute war crimes. Meanwhile, the US is encouraging the ICC to carry on, even while not recognizing ICC jurisdiction for fear of opening itself up to being investigated for war crimes in the middle east. Still and all, if the US wanted to get involved in prosecuting Russia, they would have to navigate around US legislation which largely prohibits the US from cooperating with the ICC. But the US supports ICC investigation into crimes that are not being investigated by the nation accused. The US has investigated a number of its own war crimes, but in most significant incidents, the suspects had the charges dropped or were acquitted. Russia may follow suit and conduct investigations into what occurred in Bucha and Mariupol and simply either drop the charges against the accused Russian soldiers or carry out a light sentence followed by a presidential pardon. The US did support

the ICC's investigation of genocide in Sudan during the Bush administration.

The US fear of the ICC conducting investigation based on a political motive ironically worked out in favor of the US when it came to Afghanistan. The ICC decided in October of 2021 to conduct a probe into the war crimes committed by the Taliban and ISIS-k, but not by the US or its allies in Afghanistan. The UK non-profir group Airwars estimated that US airstrikes killed between 22,000 and 48,000 civilians in Afghanistan, Iraq, and Syria and other major conflict zones in the middle east and Africa between 2001 and 2020. Just as an investigation by the ICC into crimes committed by all parties in Afghanistan since 2003 was getting ready to start, it was suddenly suspended because the crimes committed by the Taliban and ISIS-s were considered more egregious than those carried out by the US and its allies. The decision hurt the credibility of the ICC and made it appear as though the court has a western bias and it simply an instrument of the west. The ICC has opened inquiries into war crimes committed by Russia and Israel, but largely looked the other way from war crimes carried out by US and UK force in Iraq and Afghanistan. This, despite the fact that the US has been very hostile towards the ICC, excoriating them for attempting to not only investigate the US for war crimes, but also launching investigations into the military actions carried out by its ally Israel. Both nations insist that they never intend to target civilians, which is why Israel is all the more critical of the moral equivalence insinuated by ICC inquiries into Israel's activities along with Hamas's. Hamas fires rockets directly at civilians with the intent to kill civilians, all of which is obvious to the human eye as videos capture rockets being fired en masse from Gaza. Human rights organizations, however, have insisted that war crimes by one nation during a conflict does not justify war crimes by the other. Moreover, when it comes to US suspicions of the court, suspicions that the prosecutor could be swayed by politics, the actual instance of such happening worked out in favor of the US, not against it. The ICC decision not to investigate the US for war crimes was right on the heels of the US drone strike that killed an Afghan family of ten.

The ICC started its operations in 2002 just after the US invaded Afghanistan, one of the nations that voted for the Rome Statue, a treaty that initiated the ICC. Afghanistan had been mired in war for years, starting back in the 70s when the Soviets

occupied the country to protect that Afghan communist government there. It was estimated that over a million Afghans were killed during that time. This was followed by more conflict between the Taliban and the Northern Alliance in the years leading up to 9/11. Shortly after the ICC operations had gone into effect, the US immediately passed legislation to protect the country from international war crimes investigation and prosecution, as well as set up agreements with other countries in which they would also refuse to recognize the jurisdiction of the court. Most of the ICC's crackdown on war crimes were initially in Africa, but after public pressure, they began probing such cases outside of Africa and began a preliminary investigation into war crimes that took place in Afghanistan after 2002 when the ICC first began its operations. Many were beginning to believe that the ICC feared superpower nations. The ICC can investigate war crimes if one of the member nations calls for an investigation. They can also investigate in places that are referred to them by the UN Security Council. The third process by which ICC investigations can be initiated is when suspected war crimes occur in the nation of one of its member countries. Such was the case for the ICC attempt to launch a probe in Afghanistan. The US officials, however, have always insisted that its refusal to recognize the jurisdiction of the ICC was a bipartisan consensus. This served to stall the process, and when in 2017, the ICC began taking strong measures to get the court to grant permission to the ICC to investigate US crimes in Afghanistan, the pretrial chamber that was in charge of granting authorization to investigate prohibited the ICC from conducting the probe. It was clear that the decision was motivated as a result of pressure and intimidation from US officials. The national security advisor to the President advised the president to impose sanctions against ICC officials as well as prohibit them from entering the US. Despite the threats, the ICC did initially move forward with the Afghanistan investigation in March of 2020, which led to the US President imposing sanctions on two officials of the ICC. The US also threatened to prosecute ICC officials in US courts of they tried to bring charges against Americans. This was followed by US pressure on the Afghan government to oppose the ICC investigation and launch its own investigation in order to stifle the ICC probe. The ICC usually acquiesces to the policies within the nation state, and thus halted their Afghanistan probe, as well as the probe into CIA black sites which were secret prisons in Lithuania, Poland, and Romania where tortures allegedly took place. The culture of impunity

largely fostered by the ICC in succumbing to US pressure gives way to and emboldens other nations to act without regard for consequences or condemnation. The ICC attempted to justify their decision to downscale the war crimes investigation by citing the heinousness of crimes carried out by ISIS-k and the Taliban against Afghan civilians, stating that their crimes warranted for greater resources to be applied to such an investigation of their actions, as opposed to one that probes US actions in Afghanistan. Many consider US officials as hypocritical in their condemnation of Russia for invading Ukraine when they themselves actively subverted attempts by the ICC to hold them accountable for atrocities identical to the ones carried out by the Russian forces in Ukraine. Little to no international condemnation of the US for their crimes in the middle east likely emboldened Russia to assert their geopolitical interests with impunity as well, giving credence to "might" essentially making "right."

When it comes to treatment of detainees, the US is in no position to lecture anyone. There is plenty of evidence that US armed forces personnel have carried out acts of torture against against individuals that had been detained and held captive in Iraq, Afghanistan, and Guantanamo Bay, Cuba. Such acts violated Article 1 of the Convention Against Torture. Many of the tortures conducted by US military personnel against detainees involved infliction of extreme pain for the sake of extracting information and carrying out punishment. In Iraq, at Abu Ghraib prison, some of the torture techniques used involved forcing detainees to maintain a stressful and painful physical position for a lengthy period of time. Many of them were stripped naked. Some were confined in darkness for long periods. Others were forced to wear women's clothing. It was also reported that detainees would in some cases be deprived of food, water and sleep. In some instances, detainees were forced to stay out in the sun in hot weather. There were physical and sexual assaults, where detainees would be forced to pose in a sexually explicit manner while being photographed. A number of detainees have died because of these aforementioned tactics. The FBI also reported that US military personnel carried out severe abuse of civilian detainees at Abu Graihib prison. These abuses, according to an FBI memo, included physical assault and strangulation, as well as mock executions. At Guantanamo Bay, similar violations of human rights occurred against detainees there—hooding, exposure to extreme weather, forced

to assume stressful physical positions, sexual assaults, and being forced to strip naked. To this day, none of the perpetrators of torture have faced any accountability.

Sources:

100,000 Iraqi civilians dead, says study - Article by Sarah Boseley hipsal [www.theguardian.com[world[2004(oct1291irag.sarahboseley

Iraq's bloodiest battle will be a video game By Alaa Elassar, CNN https: [[lite.cnn.com[enlarticlelhbe54549e672188884b44322316 doziziza

Wikipedia contributors. (2022, June 13). Mahmudiyah rape and killings. In Wikipedia, The Free Encyclopedia. Retrieved 16:54, June 21, 2022, from

The Haditha shootings: What the Witnesses saw by Josh White https://www.seattletimes.com/nation-world/the-haditha-shootings-what-the-witnesses-saw/

https://en.wikipedia.org/wiki/Criticism_of_Human_Rights_Watch

https://www.theguardian.com/world/2004/oct/29/iraq.sarahboseley

https://lite.cnn.com/en/article/h_be54549e672188884b44322316d0777a

https://www.seattletimes.com/nation-world/the-haditha-shootings-what-the-witnesses-saw/

LIBYA THE FORGOTTEN VICTIMS OF NATO STRIKES Amnesty International 2012

https://www.hrw.org/sites/default/files/reports/natbm002.pdf CIVILIAN DEATHS IN THE NATO AIR CAMPAIGN